

**UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

OWEN W. BARNABY,
Plaintiff

)
)

Vs.

) Hon. Robert J. Jonker

MICHIGAN STATE GOVERNMENT, ET, AL
Defendants

) Case No. 1:22 -CV- 1146

Owen W. Barnaby
P.O. Box 1926
Kennesaw, GA 30156
(678) 382- 4183
Bossproperties96@gmail.com

Addresses of Defendants
Berrien County Government
701 Main Street,
St. Joseph, Michigan 49085
(269) 983-7111

Attorney, T. Seth Koches, for,
Niles-Charter-Township/Board of Trustee
470 W. Centre Ave., Ste. A, Portage, MI. 49024
269-382-4500 Koches@michigantownshiplaw.com

Jeffery R. Holmstrom (P29405)
Holmstrom Law Office PLC
830 Pleasant Street, Suite 100
St. Joseph, Michigan 49085

City of Benton Harbor
200 East Wall Street
Benton Harbor, MI 49022
(269) 927-8457

State Bar of Michigan
306 Townsend Street
Lansing, Michigan 48933
(517) 346-6305

Hon. Dana Nessel & Hon. Bryan W. Beach
Assistant & Attorney General of Michigan
525 W. Ottawa, 5th Floor
P.O. Box 30736, Lansing, MI 48909
BeachB@michigan.gov
517.335.7659 (phone) 517.335.7640 (fax)

**PROOF OF SERVICE
OF
SUMMONS AND COMPLAINT**

One

The Summons and Complaint were served on: 1), Defendant - Lori D. Jarvis Registrar;
2), Defendant - Lora L. Freehling Registrar; 3), Defendant - Kathleen Culberson, Notary Public;
4), Defendant – Bret Witskowski, Treasurer; 5), Defendant – Shelly Weich, Treasurer;
6), Defendant – Board of Commissioner; 7), Defendant – Attorney Mckinley R. Elliott;
8), Defendant – Attorney Donna B. Howard; 9), Defendant – Attorney James McGovern;
10), Defendant – Berrien County Government; 11), Defendant – Bret Witskowski, in his
Individual capacity, by US Postal certified mail, with restricted Delivery and with return receipt.
Plaintiff has spoken with Defendants’ Attorney, Mr. Thaddeus Hackworth, and he instructed
Plaintiff to served him on behalf of his same Clients. The signed return receipt, PS Form
381,(copied Green Card) is attached proof of service on all named Defendants.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

TWO

The Summons and Complaint were served on 1), Defendant – State Bar of Michigan, by US Postal certified mail, with restricted Delivery and with return receipt. The signed return receipt, PS Form 381,(copied Green Card) is attached proof of service on all named Defendant.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

THREE

The Summons and Complaint were served on 1), Defendants - Board of Trustee and 2), Defendant Niles Charter Township Government, by US Postal certified mail, with restricted Delivery and with return receipt. Plaintiff had spoken with Defendants' Supervisor, Ms. Marge Duram-Hiatt Defendants' and Ms. Marge Duram-Hiatt instructed Plaintiff to served her on behalf of the same Defendants. The signed return receipt, PS Form 381,(copied Green Card) is attached proof of service on both named Defendants.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

FOUR

The Summons and Complaint were served on **1), Defendant – Kendell S. Asbenson;** **2), Defendant – Dana Nessel Attorney General,** by US Postal certified mail, with restricted Delivery and with return receipt. The signed return receipt, PS Form 381,(copied Green Card) is attached proof of service on all named Defendants.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

FIFTH

The Summons and Complaint were served on **1)**, Defendant – Hon. Rick Snyder Governor;
2), Defendant – Hon. Jennifer Granholm, Governor; **3)**, Defendant – Hon. Gretchen Whitmer
Governor; **4)**, Defendant – Michigan State Government. The signed return receipt, PS Form
381,(copied Green Card) is attached proof of service on all named Defendants.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

SIXTH

The Summons and Complaint were served on **1), Defendant – Supreme Court of Michigan**, by US Postal certified mail, with restricted Delivery and with return receipt. The return receipt, PS Form 381,(copied Green Card) is attached proof of service on named Defendant. In addition,

I am writing regarding the above referenced matter and requesting concurrence in the motion to dismiss that I am filing on behalf of Defendants State of Michigan, Governor Gretchen Whitmer, former Governor Jennifer Granholm, former Governor Rick Snyder, Michigan Supreme Court, Assistant Attorney General Kendell Asbenson, and Attorney General Dana Nessel. The basis for the motion is that the court lacks jurisdiction, the claims are barred by immunity, and the complaint fails to state a claim for which relief may be granted.. Please advise and do not hesitate to ask if there are any questions.

Thank you,

Bryan W. Beach
Assistant Attorney General
Civil Rights & Elections Division
525 W. Ottawa, 5th Floor
P.O. Box 30736
Lansing, MI 48909
517.335.7659 (phone)
517.335.7640 (fax)

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

SEVENTH

The Summons and Complaint were served on 1), Defendant - City of Benton Harbor, by US Postal certified mail, with restricted Delivery and with return receipt. “Delivered to an agent for final delivery” or the signed return receipt, PS Form 381,(copied Green Card) is attached proof of service on all named Defendants.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

Tracking Number:

70221670000121730566

[Copy Add to Informed Delivery](#)

Latest Update

Your item has been delivered to an agent for final delivery in BENTON HARBOR, MI 49022 on December 14, 2022, at 2:17 pm.

Get More Out of USPS Tracking:
[USPS Tracking Plus®](#)

Delivered to Agent

Delivered to Agent for Final Delivery
BENTON HARBOR, MI 49022
December 14, 2022, 2:17 pm
[See All Tracking History](#)

EIGHTH

The Summons and Complaint were served on 1), Defendant – Attorney Jefferey R. Holmstrom and 2), Defendant – Holmdtrom Law Office. The signed return receipt, PS Form 381,(copied Green Card) is attached proof of service on all named Defendants.

Dated: December 30, 2022,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.

Owen W. Barnaby
Printed Name

PO Box 1926
Address

Kennesaw Georgia, 30156
City, State Zip code

(678) 382-4183
Phone Number

EIGHTH: Tracking Number:

70221670000121730528

[Copy Schedule a Redelivery](#)

Latest Update

We attempted to deliver your item at 1:49 pm on December 9, 2022 in SAINT JOSEPH, MI 49085 and a notice was left because an authorized recipient was not available. You may arrange redelivery by using the Schedule a Redelivery feature on this page or may pick up the item at the Post Office indicated on the notice beginning December 10, 2022. If this item is unclaimed by December 24, 2022 then it will be returned to sender.

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[USPS Tracking Plus®](#)

Delivery Attempt: Action Needed

Notice Left (No Authorized Recipient Available)
SAINT JOSEPH, MI 49085
December 9, 2022, 1:49 pm

Out for Delivery
SAINT JOSEPH, MI 49085
December 9, 2022, 6:10 am
[See All Tracking History](#)
December 8, 2022

Arrived at USPS Regional Destination Facility
GRAND RAPIDS MI DISTRIBUTION CENTER ANNEX December 7, 2022, 11:17 am

**REJECTION OF SERVICE
SUMMONS AND COMPLAINT**

By.

1), Defendant – Attorney Jefferey R. Holmstrom and 2), Defendant – Holmdtrom Law Office.

Tracking Number:

70221670000121730528

[Copy Add to Informed Delivery](#)

Latest Update

Your item could not be delivered on December 28, 2022 at 11:12 am in BENTON HARBOR, MI 49022. It was held for the required number of days and is being returned to the sender.

**Get More Out of USPS Tracking:
[USPS Tracking Plus®](#)**

Alert

Unclaimed/Being Returned to Sender
BENTON HARBOR, MI 49022
December 28, 2022, 11:12 am

“Plaintiff called and spoke with Defendant Attorney Holmstrom as a Defendant in the case and about some of his prior clients; also about Plaintiff’s intent to add to the Complaint. It was a “Surprise” to Plaintiff, when Defendant Attorney Holmstrom stated that, Plaintiff has no further need to contact him about the same two matters as the Magistrate Judge has filed a Report and Recommendation which Judge Robert J. Jonker who will basically just rubber stamp even if Plaintiff responded.”

In addition, 1), Defendant – Attorney Jefferey R. Holmstrom and 2), Defendant – Holmdtrom Law Office, received complaint by email.

Respectfully Submitted,

Dated: January 3, 2023,

\S/ Owen W. Barnaby
Owen W. Barnaby, In Pro Se.